

1 Bill No. Z-84-02-32 (AS AMENDED)

2 ZONING MAP ORDINANCE NO. Z-

05-84

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. 0-22.

5
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
7 INDIANA:

8 SECTION 1. That the area described as follows is hereby
9 designated an R-3 (Multiple Family Residential) District under the terms
10 of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

11 The East 150 feet of Lot Number 1 in Maple View
12 Addition to the City of Fort Wayne, according to
13 the plat thereof, recorded in Plat Record 7,
page 22, in the Office of the Recorder of Allen
County, Indiana

14 and the symbols of the City of Fort Wayne Zoning Map No. 0-22, as
15 established by Section 11 of Chapter 33 of the Code of the City of Fort
16 Wayne, Indiana are hereby changed accordingly.

17 SECTION 2. That this Ordinance shall be in full force and
18 effect from and after its passage and approval by the Mayor.

19
20 _____
COUNCILMEMBER

21
22 APPROVED AS TO FORM AND LEGALITY:

23
24 _____
25 BRUCE O. BOXBERGER, CITY ATTORNEY
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1 Bill No. Z-84- 02-32

2 ZONING MAP ORDINANCE NO. Z _____

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. 0-22.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby
8 designated a B-1-A (Limited Business) District under the terms of Chapter 33
9 of the Code of the City of Fort Wayne, Indiana of 1974:

10 The East 150 feet of Lot Number 1 in Maple View
11 Addition to the City of Fort Wayne, according to
12 the plat thereof, recorded in Plat Record 7,
13 page 22, in the Office of the Recorder of Allen
County, Indiana

14 and the symbols of the City of Fort Wayne, Zoning Map No. 0-22, as
15 established by Section 11 of Chapter 33 of the Code of the City of Fort
16 Wayne, Indiana are hereby changed accordingly.

17 SECTION 2. That this Ordinance shall be in full force and
18 effect from and after its passage and approval by the Mayor.

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Read the first time in full and on motion by Bradbury, seconded by Stev, and duly adopted, read the second time by title and referred to the Committee Regulators (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.S.

DATE: 2-14-84 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Stev, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
TOTAL VOTES	<u>7</u>	<u>2</u>	_____	_____	_____
BRADBURY	<u>✓</u>	_____	_____	_____	_____
BURNS	<u>✓</u>	_____	_____	_____	_____
EISBART	<u>✓</u>	_____	_____	_____	_____
GiaQUINTA	_____	<u>✓</u>	_____	_____	_____
HENRY	<u>✓</u>	_____	_____	_____	_____
REDD	<u>✓</u>	_____	_____	_____	_____
SCHMIDT	<u>✓</u>	_____	_____	_____	_____
STIER	_____	<u>✓</u>	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____	_____

DATE: 2-27-84 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ (APPROPRIATION) ~~(GENERAL)~~

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-05-84
on the 27th day of March, 1984,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Ray A. Ebert
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1984, at the hour of 11:30 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of March, 1984, at the hour of 12:30 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

TO: COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA Date Filed _____
Intended Use Professional Office

I/We William F. Cain, D.D.S.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from ~~X~~/an R-1 district to a/~~XX~~ B-1-A district the property described as follows:

The East 150 feet of Lot Number 1 in Maple View Addition to the City of Fort Wayne, according to the plat thereof, recorded in Plat Record 7, page 22, in the Office of the Recorder of Allen County, Indiana

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.
William F. Cain, D.D.S. 3402 N. Anthony Blvd. Fort Wayne, IN 46805
(Name) (Address) (Signature)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:
All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:
William D. Swift 590 Lincoln Tower Fort Wayne, IN 46802 219-423-4422
(Name) (Address) (Telephone Number)

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 14, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-02-32; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 13, 1983;

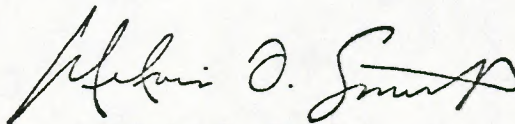
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Finding of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantilly adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 5, 1984.

Certified and signed this
6th day of March 1984.



Melvin O. Smith
Secretary

BILL NO. Z-84-02-32 (AS AMENDED)

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. 0-22.

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

JANET G. BRADBURY, CHAIRWOMAN

Janet G. Bradbury

SAMUEL J. TALARICO, VICE CHAIRMAN

Samuel J. Talarico

CHARLES B. REDD

Charles B. Redd

MARK E. GIAQUINTA

JAMES S. STIER

CONCURRED IN 3-27-84
SANDRA E. KENNEDY, CITY CLERK

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 10618

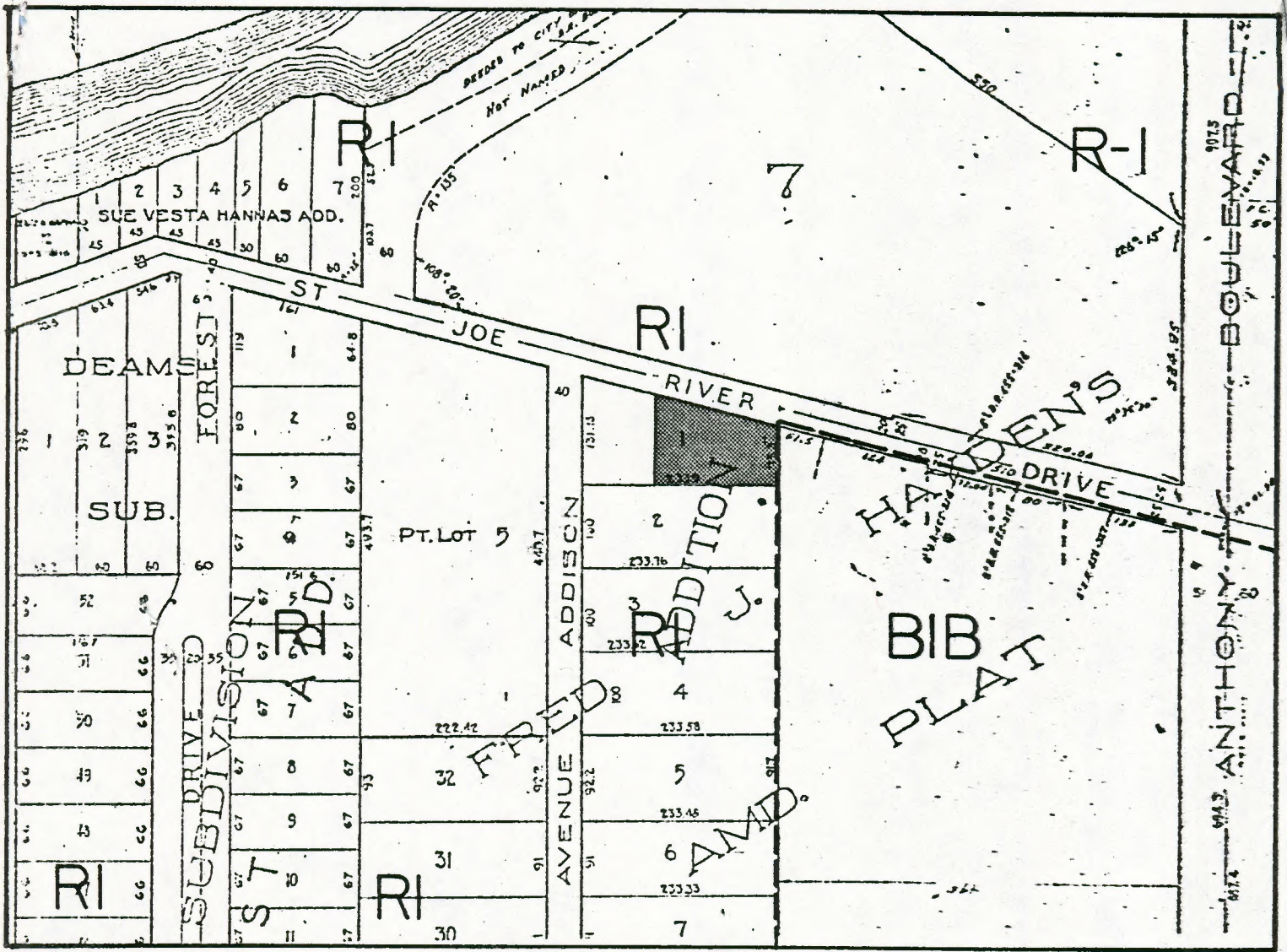
FT. WAYNE, IND., 11/13 1984


RECEIVED FROM Mr. F. Cairns, Ind. S. \$ 50.00

THE SUM OF fifty & 00/100 DOLLARS

ON ACCOUNT OF regional R-H B-1-A

[Signature]
AUTHORIZED SIGNATURE




 A PETITION TO AMEND THE ZONING MAP BY
 RECLASSIFYING DESCRIBED PROPERTY FROM AN R-1
 TO A ~~BIA~~ DISTRICT.

Perfected to an R-3

MAP NO. 0-22

Z-84-02-22





THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

6 March 1984

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held March 5, 1984. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

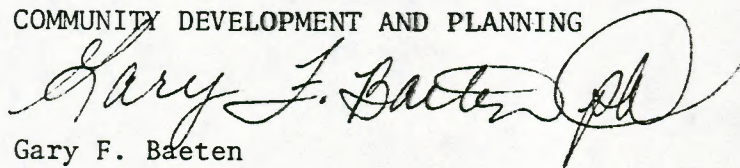
1. Bill No. Z-84-02-32
2. From R-1 to B-1-A
3. Intended Use: Dentist's Office
4. Plan Commission Recommendation: PERFECT to an R-3 and DO PASS

REASON: The need for this rezoning arises from some condition peculiar to the property involved and condition is due to the general conditions of the neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments



ORIGINAL

DIGEST SHEET

ORIGINAL

Admin. Appl. _____

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-84-02-32

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE The East 150 feet of Lot #1 in Maple View Addition.

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential.

Property will become B-1-A - Limited Business.

EFFECT OF NON-PASSAGE Property will remain R-1 Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____